

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	
ALLEN LARRY SOROCHIELLO	:	Chapter 13
KRISTIE LYNN SOROCHIELLO	:	
Debtors	:	Case No. 20-12905-PMM
	:	

**STANDING CHAPTER 13 TRUSTEE’S MOTION FOR
ALTERNATIVE DISBURSEMENT**

Scott. F. Waterman, Esquire, Standing Chapter 13 Trustee, by and through his counsel, requests that the Court authorize disbursement of certain funds to creditors for the following reasons:

1. Debtors filed the above-captioned case on July 6, 2020 and their plan (8th Modified Plan) was last modified on October 27, 2022.
2. The Debtors’ Modified Plan (“Plan”) sets forth the following order of distribution of payments:

- Level 1: Trustee’s Commissions
- Level 2: Domestic Support Obligations
- Level 3: Adequate Protection Payments
- Level 4: Debtor’s attorney’s fees
- Level 5: Priority claims, pro rata
- Level 6: Secured claims, pro rata
- Level 7: Specially classified unsecured claims
- Level 8: General unsecured claims
- Level 9: Untimely filed general unsecured non-priority claims to which debtor has not objected.

See Plan, Section 8: Order of Distribution.

3. The Debtors’ Plan proposed for the Trustee to pay Debtors’ counsel a total of \$5,500.00, subject to counsel seeking approval of his fee in accordance with 11 U.S.C. §330 and Bankruptcy Rule 2016.

4. Debtors' counsel has only sought court approval of \$5,00.00 of his fee, and has failed to file a second Supplemental Fee Application in accordance with 11 U.S.C. §330.

5. The Trustee has been retaining the amount of \$500.00 for Debtors' counsel's fees, which could be used to pay remaining unpaid creditors.

6. Since Debtors' counsel has not filed a second Supplemental Fee Application, the Chapter 13 Trustee requests this Court authorize the Trustee to disburse the funds being set aside to pay Debtors' counsel to be, instead, disbursed to the remaining unpaid creditors in accordance with the terms of the Plan.

WHEREFORE, Scott F. Waterman, Esquire, Chapter 13 Standing Trustee, respectfully requests that this Court enter an Order in the form annexed hereto, authorizing him to disburse the funds being held by his office to the remaining unpaid creditors in accordance with the terms of the Modified Plan.

Date: April 20, 2023

Respectfully submitted,

/s/ Rolando Ramos
Rolando Ramos, Esq.
for
Scott F. Waterman, Esquire
Standing Chapter 13 Trustee